

HOUSE No. 1317

By Mr. Marzilli of Arlington, petition of J. James Marzilli, Jr., and Lida E. Harkins that the University of Lowell establish and maintain a non toxic pest management center. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT TO PROMOTE SUSTAINABLE AGRICULTURE AND THE USE OF NON TOXIC PEST MANAGEMENT.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 SECTION 1. Chapter 75 of the General Laws is hereby
2 amended by inserting the following new section:
3 Section 2B. The University of Lowell shall establish, operate,
4 and maintain a Non Toxic Pest Management Center, hereinafter
5 known as the Center. The purpose of the Center shall be to reduce
6 the use of toxic pest management methods in Massachusetts and
7 to provide education and training in pest prevention and non-toxic
8 methods of pest control. For the programs required pursuant to
9 this paragraph, the Center shall be funded through the Non Toxic
10 Pest Management Fund established under section Two RR (2RR)
11 of chapter twenty-nine of the General Laws. The University of
12 Lowell, through the Center, shall offer the following services to
13 businesses, municipalities, and citizens of the Commonwealth:
14 (1) Provide site specific consultations on non toxic pest man-
15 agement principles and strategies;
16 (2) Maintain a listing of certified non toxic pest management
17 contractors and service providers;
18 (3) Maintain a library of references and disseminate resources
19 on non toxic pest management methods for preventing and con-
20 trolling pest problems;

21 (4) Act as a clearinghouse of model pollution prevention and
22 pesticide use reduction bylaws, ordinances, and regulations which
23 have been implemented in other states and countries;

24 (5) Provide assistance to Massachusetts municipalities who
25 want to develop such bylaws, ordinances, or regulations;

26 (6) Provide training programs to Massachusetts citizens, munic-
27 ipalities, and businesses on how to use non toxic pest management
28 and promote the use of non toxic pest management in Massachu-
29 setts.

1 SECTION 2. Chapter 29 of the General Laws is hereby
2 amended by inserting after Section 2ZZ the following new
3 section:—

4 Section AAA. There is hereby established and set up on the
5 books of the Commonwealth a separate fund to be known as the
6 Non Toxic Pest Management Fund. The following revenue
7 sources shall be credited to said Fund:

8 1) The revenue created by the taxation of sales of pesticides,
9 including insecticides, herbicides, fungicides, miticides and all
10 materials registered with the Environmental Protection agency as
11 pesticides under Federal Insecticide, Fungicide and Rodenticide
12 Act as well as other pesticides commonly regarded in the same
13 category and for the same purpose; and

14 2) No less than thirty percent of all revenue:

15 (a) collected by the Department of Food and Agriculture from
16 fees associated with the issuance of pesticide certificates and
17 licenses pursuant to Section 10 of Chapter 132B; and

18 (b) collected by the Department of Food and Agriculture under
19 Section 7 of Chapter 132B for the registration of pesticides; and

20 (c) collected by the Department of Food and Agriculture under
21 Section 9 of Chapter 132B for issuing pesticide dealers' licenses;
22 and

23 (d) collected by the Department of Food and Agriculture under
24 Section 8 of Chapter 132B for the issuance of experimental use
25 permits; and

26 (e) collected by the Department of Food and Agriculture under
27 Section 14 of Chapter 132B for violations of the provisions of
28 Chapter 132B, excluding fines for violating sections 6C through
29 6I of that chapter;

30 All amounts credited to such fund shall be used, subject to
31 appropriation, for the Non Toxic Pest Management Center estab-
32 lished at the University of Lowell established pursuant to section
33 2B of chapter 75 of the general laws..

1 SECTION 3. Section 6 of Chapter 64H of the General Laws is
2 hereby amended in subsection (p) by deleting item (3), and
3 inserting in place thereof the following:

4 (3) sales of fertilizer, including ground limestone, hydrated
5 lime, seed inoculants and plant hormones, as well as other sub-
6 stances commonly regarded in the same category and for the same
7 use, but not including any sales of pesticides, including insecti-
8 cides, herbicides, fungicides, miticides and all materials registered
9 with the Environmental Protection agency as pesticides under
10 Federal Insecticide, Fungicide and Rodenticide Act as well as
11 other pesticides commonly regarded in the same category and for
12 the same purpose;

1 SECTION 4. Any farmer who has filed an approved Integrated
2 Pest Management plan with the department of food and agricul-
3 ture shall be eligible for an abatement on all taxes paid pursuant to
4 section 3 of this act. The commissioner of revenue shall establish
5 the guidelines for said abatement program in consultation with the
6 commissioner of agriculture.